



Docket No. JBP-600 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Susan M. Niemiec et al.

Serial No. : 10/772,016

Art Unit: 1751

Filed : February 4, 2004

Examiner:

For : NOVEL DETERGENT COMPOSITIONS WITH ENHANCED
DEPOSITING CONDITIONING AND SOFTNESS CAPABILITIES

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Erin M. Harriman

(Name of applicant, assignee, or Registered Representative)

Erin M. Harriman

(Signature)

3/3/04

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted.

☒ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application SN.: 10/271,713, filed on October 16, 2002..

☒ This application also relies, under 35 § U.S.C. 120, on the earlier filing date of prior application SN.: 09/321,074, filed on May 27, 1999, now US Patent 6,495,498.

☒ The following references were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application: All except US 5,344,643; 5,776,443; 5,977,036; 5,989,533; 6,024,952; and 6,106,815; and EP0017122; GB2131821 and WO 98/29094, for which copies of the 3 foreign patent documents are enclosed in accordance with 37 CFR 1.98(a)(2).

☒ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: English abstracts provided for DE4330597, JP7002677 and WO97/47274.

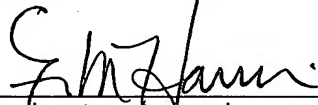
☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP600DIV/EMH. This form is submitted in triplicate.

Respectfully submitted,



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DATED: 3/3/04



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/772,016
Filing Date	February 4, 2004
First Named Inventor	Susan M. Niemiec
Group Art Unit	1751
Examiner Name	
Attorney Docket Number	JBP0600 DIV

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		34,584		Grote et al.	04-12-1994	
		4,292,212		Melby	09-29-1981	
		4,472,297		Bolich, Jr., et al.	09-18-1984	
		4,704,272		Oh et al.	11-03-1987	
		4,720,353		Bell	01-19-1988	
		4,741,855		Grote et al.	05-03-1988	
		5,098,979	A	O'Lenick, Jr.	03-24-1992	
		5,221,530	A	Janchitraponvej et al.	06-22-1993	
		5,244,664	A	Godtfredsen	09-14-1993	
		5,344,643	A	Thiel et al.	09-06-1994	
		5,417,965	A	Janchitraponvej et al.	05-23-1995	
		5,756,076	A	Cervantes et al.	05-26-1998	
		5,776,443	A	Vinski et al.	07-07-1998	
		5,977,036	A	Guskey	11-02-1999	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		DE	43 30 597	A1	Ahmad, Khalil	03-16-1995	English Abstract	N
		EP	0 017 122	B1	Henkel Kommanditgesellschaft	10-15-1980	English Claims	N
		EP	0 018 717	B2	Unilever PLC	11-12-1980		
		EP	0 045 720	B1	Ciba-Geigy AG	02-10-1982	English Claims	N
		EP	0 047 714	B1	Ciba-Geigy AG	3-17-1882	English Claims	N
		EP	0 080 976	B1	Ciba-Geigy AG	06-08-1983	English Claims	N
		EP	0 155 806	B1	The Procter & Gamble Co.	09-25-1985		
		EP	0 465 734	B1	Helene Curtis, Inc.	01-15-1992		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. ⁶ If possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 3

Application Number	10/772,016
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		Number	Kind Code ² (if known)			
		5,989,533	A	Deegan et al.	11-23-1999	
		6,024,952	A	Story et al.	02-15-2000	
		6,106,815	A	Kang et al.	08-22-2000	
		6,274,130	A	Murray	08-14-2001	
		6,495,498	B2	Niemiec et al.	12-17-2002	
		2002/0077256	A1	Niemiec et al.	06-20-2002	
		2003/0176303	A1	Niemiec et al.	09-18-2003	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵				
		EP	0 511 652	B1	Helene Curtis, Inc.	11-29-1995		
		EP	0 521 666	B2	Calgon Corporation	01-07-1993		
		EP	0 522 756	B1	Calgon Corporation	01-13-1993		
		EP	0 562 263	B2	Goldwell GmbH	09-29-1993		Y
		EP	0 601 163	B1	Kao Corporation	06-15-1994		
		EP	0 617 953	B1	Helene Curtis, Inc.	10-05-1994		
		EP	0 648 105	B1	Wella Aktiengesellschaft	04-19-1995	English Claims	N
		EP	0 659 404	B1	Aqualon Company	06-28-1995		
		EP	0 697 208	B1	Goldwell GmbH	02-21-1996	English Claims	N
		EP	0 756 859	B1	Goldwell GmbH	02-05-1997	English Claims	N
		GB	2 057 261	A	Bristol-Myers Company	04-01-1981		
		GB	2 131 821	A	L'Oreal	06-27-1984		
		GB	2 161 172	A	Beecham Group	01-08-1986		
		GB	2 281 913	A	Revlon Consumer Products	03-22-1995		
		JP	7002677	A2	Toyo Sugar Refining	01-06-1995	English Abstract	N

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		Office ³	Number ⁴	KindCode ⁵				
		WO	93/11737	A1	Vitachlor Corporation	06-24-1993		
		WO	94/18934	A1	The Boots Company	09-01-1994		
		WO	95/04537	A1	The Procter & Gamble Co.	02-16-1995		
		WO	97/26860	A1	Johnson & Johnson Consumer Products	07-31-1997		
		WO	97/38672	A1	Unilever PLC	10-23-1997		
		WO	97/47274	A2	Henkel Kommanditgesellschaft	12-18-1997	English Abstract	N
		WO	98/29094	A1	The Procter & Gamble Co.	07-09-1998		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Sibilia, "A Guide to Materials Characterization and Chemical Analysis", <i>Secondary Ion Mass Spectrometry</i> , pp 185-193 (1988) VCH Publishers Inc.	
		Sibilia, "A Guide to Materials Characterization and Chemical Analysis", <i>Angular Dependent X-Ray Photoelectron Spectroscopy</i> , pp 196-197 (1988) VCH Publishers, Inc.	
		Welgmann and Kamath, "Apparatus for Radial Compression of a Hair Tress", <i>Hair and Hair Care in Cosmetic Science and Technology Series</i> , Vol. 17, pp 554-556, Editor Dale H. Johnson (1997) Marcel Dekker, Inc.	
		Garcia et al., "Measurement of Bulk Compressibility", <i>Synopsis</i> [presented at 10 th IFTSCC Congress, Sydney, Australia] (1978)	
		Beylot et al., "Oral Contraceptives and Cyproterone Acetate in Female Acne Treatment", <i>Dermatology</i> , Vol. 196, pp148-152 (1998)	
		Gollnick et al., "Topical Drug Treatment in Acne", <i>Dermatology</i> , Vol. 196, pp 119-125 (1998)	
		Meynadier et al., "Systemic Antibiotics for Acne", <i>Dermatology</i> , Vol. 196, pp 135-139 (1998)	
		Orfanos et al., "Oral Retinoids in the Treatment of Seborrhoea and Acne", <i>Dermatology</i> , Vol. 196, pp 140- 147 (1998)	
		Pieard et al., "New Insight into the Topical Management of Excessive Sebum Flow at the Skin Surface", <i>Dermatology</i> , Vol. 196, pp 126-129 (1998)	
		Schmidt, "Other Antiandrogens", <i>Dermatology</i> , Vol. 196, pp 153-157 (1998)	
		Toyoda et al., "An Overview of Topical Antibiotics for Acne Treatment", <i>Dermatology</i> , Vol. 196, pp 130-134 (1998)	
		Weigmann et al., "Principles of Polymer Science and Technology in Cosmetics and Personal Care", <i>Cosmetic Science and Technology Series</i> , Vol. 22, pp 554-569 (1999) Goddard et al (Eds)	

Examiner Signature	Date Considered
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